

**REMARKS**

Applicants have received and carefully reviewed the Office Action mailed October 29, 2009. Reconsideration and allowance of the pending claims are respectfully requested.

**Inventorship and Corrected Filing Receipt**

A request to correct inventorship under 37 C.F.R. §1.48(c) was filed on January 19, 2006. With that filing, Applicants additionally requested the issuance of a corrected filing receipt reflecting the change of inventorship. Applicants have not yet received an indication that the inventorship has been corrected, and have not yet received a corrected filing receipt reflecting the change of inventorship. As all claims are now believed to be in condition for allowance, Applicants respectfully request that the inventorship be corrected and a corrected filing receipt be issued as soon as possible.

**Double Patenting**

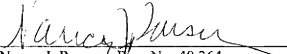
Claims 56, 65, and 87 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over at least claim 69 of U.S. Patent No. 7,144,393 B2. Applicants do not concede the correctness of the rejection, however in the interest of advancing this case to allowance, a Terminal Disclaimer is attached.

Reconsideration and reexamination are respectfully requested. It is submitted that, in light of the above remarks, all pending claims are now in condition for allowance. If a telephone interview would be of assistance, please contact the undersigned attorney.

Respectfully submitted,  
GENE P. DIPOTO et al.

By their Attorney,

Date: 1/15/10

  
Nancy J. Parsons, Reg. No. 40,364  
CROMPTON, SEAGER & TUFTE, LLC  
1221 Nicollet Avenue, Suite 800  
Minneapolis, Minnesota 55403-2420  
Telephone: (612) 677-9050  
Facsimile: (612) 359-934